

KURT BENSHOOF

King County Correctional Facility – Seattle

Mr. Kurt Alden Benshoof

B/A 2024-008067, UCN# 10518097

500 Fifth Ave., Seattle, WA 98104

kurtbenshoof@gmail.com (no access)

urve.maggitti@gmail.com

CIVIL COVER SHEET FOR [continuation]:
No. 2:24-mc-00060-JNW
NOTICE OF REMOVAL

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

CITY OF SEATTLE,

"Plaintiff"

V.

Case Nos: 676492, 676463, 676216,

676207, 676175, 675405,

671384, 656748, 669329

Municipal Court For The City Of Seattle

KURT BENSHOOF,

“Defendant”

AND ASSOCIATED CASE:

STATE OF WASHINGTON

"Plaintiff"

CASE: 24-1-02680-7 SEA

VS.

KURT BENSHOOF,

"Defendant"

[Search Warrant executed by SPD: 24-0-62121-3 SEA]
Superior Court, King County, Washington

**PETITIONER HAS PROVIDED COURT FULL FILE ON SEPTEMBER 24, 2024.
NO DEFICIENCY EXISTS. COURT IS ABUSING THE PROCESS BY
ADMINISTRATIVE DELAY TACTICS.¹**

PLEASE TAKE NOTICE THAT pursuant to 28 U.S.C.A. § 1443, 28 U.S.C. § 1455, 28 U.S.C.A. § 1446, 28 U.S.C. § 1447, the basis for the district court's original subject matter jurisdiction over the case, federal question jurisdiction 28 U.S.C. § 1331, KURT BENSHOOF, alleged "*Defendant*" hereby removes the following actions of criminal persecution and prosecution:

¹ See attached EXHIBIT A

- a. **Case Nos: 676492, 676463, 676216, 676207, 676175, 675405, 671384, 656748, 669329** from MUNICIPAL COURT FOR THE CITY OF SEATTLE, WASHINGTON to the UNITED STATES DISTRICT COURT for the WESTERN DISTRICT OF WASHINGTON AT SEATTLE; and

Case No: 24-1-02680-7 SEA, [Search Warrant executed by SPD: **24-0-62121-3 SEA**], from SUPERIOR COURT, KING COUNTY, WASHINGTON to the UNITED STATES DISTRICT COURT for the WESTERN DISTRICT OF WASHINGTON AT SEATTLE;

On September 17, 2024, the defendants denied all plaintiff's requests for remedy, showing the state courts are not capable of enforcing plaintiff's federal civil rights in a state judicial forum, including:

- a) Denial of First Amendment rights to religious expression by objecting on religious grounds to mask mandates and vaccine mandates as a condition of public accommodation, public education of his child, and access to his advocate for his child or even associate with his child, by using the state legal system to punish such petitioning through imprisonment, trial without counsel, trial without due process of law, denial of parental rights to care and custody of his child, subornation of perjury, and future incarceration;
- b) Denial of First Amendment rights to petition the government for redress of grievances -- including petitioning the police force for violation of his rights by state actors and others, by using the state legal system to punish such petitioning through imprisonment, trial without counsel, trial without due process of law, denial of parental rights to access, advocate for, or any form of care or custody of his child, subornation of perjury, and future incarceration;
- c) Denial of First Amendment rights to political expression by declaring plaintiff crazy, incompetent, mentally ill and dangerous simply for objecting to mask mandates and vaccine mandates as a condition of public accommodation, public education of his child, and access to his advocate for his child or even associate with his child, by using the state legal system to punish such petitioning through imprisonment, trial without counsel, trial without due process of law, denial of parental rights to care and custody of his child, subornation of perjury, and future incarceration;

d) Denial of Second Amendment rights of self defense by punishing plaintiff for lawfully possessing a gun, by using the state legal system to punish such petitioning through imprisonment, trial without counsel, trial without due process of law, denial of parental rights to care and custody of his child, subornation of perjury, and future incarceration;

e) Denial of Fourth Amendment rights to be secure in his person and property by unlawful unreasonable seizures of plaintiff's person and property without probable cause, and the use of such tainted evidence against him in a criminal case;

f) Denial of Fourth Amendment rights to bodily autonomy in compelling he comply with mask and vaccine mandates as a condition of public accommodation, a condition of public education, a condition of access to the care and custody of his child, and punishing the exercise of that right by using the state legal system to punish such petitioning through imprisonment, trial without counsel, trial without due process of law, denial of parental rights to care and custody of his child, subornation of perjury, and future incarceration;

g) Denial of Fifth Amendment procedural rights to due process of law by denying plaintiff notice of a hearing that denied him access to his own child, denying him notice of protection orders enforceable by arrest and imprisonment, denying him requests for discovery in his own criminal case, denying him a continuance after securing retained counsel to represent him, denying him means to participate in hearings concerning his criminal case, and denying him the means to participate in his own defense in the ongoing criminal case by imprisoning him without trial in solitary confinement;

h) Denial of Fifth Amendment substantive rights to due process of law by denying the plaintiff his right to access to, advocate on behalf of, and the care and custody of his child;

i) Denial of Sixth Amendment right to counsel by denying plaintiff a brief continuance for his privately retained counsel to appear in the case and prepare for trial;

j) Denial of Eighth Amendment right against unreasonable bail through imprisonment in solitary confinement pending trial without means of bail.

PARTIES:

1. Ann Davison, Seattle City Attorney
701 5th Ave., Suite 2050, Seattle, WA 98104-7097
Phone (206) 684-7757 Fax: (206) 684-4648
Ann.Davison@seattle.gov
SeattleCityAttorney@seattle.gov
Law_CityAttorney_Crim_NOA@seattle.gov

* The **Seattle City Attorney's Office (CAO)** is also known as the Law Department under Article XIII of the Charter of the City of Seattle:

Sec. 3. - DUTIES OF CITY ATTORNEY:

The City Attorney shall have full supervisory control of all the litigation of the City, or in which the City or any of its departments are interested, and shall perform such other duties as are or shall be prescribed by ordinance.

(Res. 25628, 1977; In 1946 Charter.)

2. Dan Shilling, Seattle City Attorney
701 5th Ave., Suite 2050, Seattle, WA 98104-7097
Phone: : 206-684-8406
Dan.shilling@seattle.gov

3. Katrina Outland, Assistant City Attorney, WSBA #54342
City of Seattle Attorney's Office
701 5th Ave., Suite 2050, Seattle, WA 98104-7097
Regional Domestic Violence
Firearms Enforcement Unit
Assistant City Prosecutor
Cell: 206-472-3696
Voicemail: 206-684-7756
Katrina.Outland@seattle.gov
n-koutland@kingcounty.gov
SMC_1003@seattle.gov

4. Daniel H. O'Brien, City Prosecutor
The Seattle City, 701 Fifth Avenue, Suite 2050, Seattle, WA, 98104-7095
Phone: (206) 718-5062
FAX: 206-684-4648
daniel.o'brien@seattle.gov

5. Magistrate **Andrea Chin**, King County Seattle Municipal Court
Seattle Justice Center, 600 5th Ave, Seattle, WA 98104-1900
Bailiff: Nina Cohen - (206) 733-9339 Phone: (206) 684-8709
FAX: (206) 615-0766 FAX: (206) 615-0443 alt. Fax: 206-615-0446
GROUP email: SMC_CTR_1003@seattle.gov
Group Email: smc.publicsvcs@seattle.gov
Email: andrea.chinsmc@seattle.gov
6. Judge **Faye R. Chess**, Presiding Judge King County Seattle Municipal Court
600 Fifth Avenue, Seattle, WA 98124-1900
Phone: main: (206) 684-5600 - (206) 684-5610
Fax: 206-615-0446 (Courtroom 1103 fax #)
Group Email: smc_publicsvcs@seattle.gov
Email: faye.chesssmc@seattle.gov
Bailiff: Lynn Milloy - (206) 615-0473
7. **Leesa Manion**, Prosecuting Attorney
CRIMINAL DIVISION W554, King County Courthouse, 516 Third Avenue Seattle, Washington 98104-2385
PHONE: (206) 477-3742, FAX (206) 205-6104, Leesa.Manion@kingcounty.gov
8. **Stephanie R. Brennan**, WSBA No. 48979
Attorney(s) for the Plaintiff, State of Washington, Domestic Violence Unit, Seattle
W554 King County Courthouse, 516 Third Avenue, Seattle, WA 98104-2385
PHONE: (206) 296-9000, stephanie.brennan@kingcounty.gov
9. **David Martin**, Senior Deputy Prosecutor/ Chair Domestic Violence Unit
King County Prosecuting Attorney's Office (PAO), King County Courthouse 516 Third Avenue, W400, Seattle, WA 98104
PHONE: 206-477-1200 david.martin@kingcounty.gov
10. **Hon. Melinda J. Young**, Chief, Criminal Judge - Superior Court
C/O King County Courthouse. 516 Third Ave Rm C-203, Seattle, WA 98104
Primary Phone: 206-477-1361 Email: young.court@kingcounty.gov
Bailiff: Jennifer McBeth (206) 477-1361
11. **Hon. Suzanne R. Parisien**,
c/o King County Superior Court, 16 Third Ave, C-203, Seattle, WA 98104
Phone: 206-477-1579
Email parisien.court@kingcounty.gov, suzanne.parisien@kingcounty.gov
Bailiff: Julie Salle Courtroom Number: W-355, Department: 42, Assignment: Criminal
12. **County Clerk**
516 3rd Ave, Rm E609, Seattle, WA 98104-2363
Phone: 206-296-9300, clerksofficecustomerservice@kingcounty.gov

13. Mr. clerksofficecustomerservice@kingcounty.gov Home Address: 1716 N 128th Street,
Seattle, Washington 98133,
Phone: (206) 460-4202, kurtbenshoof@gmail.com

~~CURRENTLY HELD AT: Maleng Regional Justice Center - Kent, Phone: 206-296-1234,
Address: 620 W. James St., Kent, WA 98032, Mr. Kurt Benshoof, UPN# 10518097~~

Mr. Kurt Benshoof at around 10:00 on Friday September 6, 2024, am inexplicable moved to:

King County Correctional Facility – Seattle

Mr. Kurt Alden Benshoof
B/A 2024-008067, UCN# 10518097
500 Fifth Ave., Seattle, WA 98104
South Eight, Lover Bravo

DOCUMENTS ATTACHED – AGAIN [!!!!] - are:

24-1-02680-7 SEA [Full Certified File was provided to court on 09/24/2024]

1. Filed 07 08 2024 Information Certified Copy August 9 2024
2. SW Affidavit final 24 0 62121 3 07 09 2024 Affidavit Application for Search Warrant
3. Memo Style 24 0 62121 3 07 09 2024 EMAIL AUTHORITY FOR SEARCH WARRANT
4. Filed 07 18 2024 SHERIFF S RETURN ON WARRANT OF ARREST Certified Copy August 9 2024
5. Search Warrant 24 0 62121 3 07 09 2024 Search Warrant

See attached EXHIBIT B

676492

6. 02 12 2024 3 00 AM Complaint Case Initiation Face Sheet
7. 02 12 2024 3 00 AM Complaint (Out of Custody)
8. 02 12 2024 3 00 AM Declaration Police Report

See attached EXHIBIT C

676463

9. 02 12 2024 3 00 AM Complaint (Out of Custody)
10. 02 12 2024 3 00 AM Complaint Case Initiation Face Sheet
11. 02 12 2024 3 00 AM Compliance Status Did Not Report to Jail
12. 02 12 2024 3 00 AM Declaration Police Report

See attached EXHIBIT D

676216

13. 02 13 2024 3 00 AM Complaint Out of Custody
 14. 02 13 2024 3 00 AM Compliance Status Did Not Report to Jail
 15. 02 13 2024 3 00 AM Declaration Police Report
 16. 02 13 2024 3 00 AM Complaint Case Initiation Face Sheet
 17. 02 16 2024 3 00 AM Declaration Police Report

See attached EXHIBIT E

676207

18. 02 12 2024 3 00 AM Complaint Case Initiation Face Sheet
 19. 02 12 2024 3 00 AM Compliance Status Did Not Report to Jail
 20. 02 12 2024 3 00 AM Declaration Police Report
 21. 02 12 2024 3 00 AM Complaint

See attached EXHIBIT F

676175

22. 02 12 2024 3 00 AM Complaint Case Initiation Face Sheet
 23. 02 12 2024 3 00 AM Compliance Status Did Not Report to Jail
 24. 02 12 2024 3 00 AM Declaration Police Report
 25. 02 12 2024 3 00 AM Complaint (Out of Custody)
 26. 02 12 2024 3 00 AM Declaration Police Report

See attached EXHIBIT G

675405

27. 10 26 2023 3 00 AM Declaration Police Report
 28. 10 26 2023 3 00 AM Complaint Case Initiation Face Sheet
 29. 10 26 2023 3 00 AM Declaration Police Report

See attached EXHIBIT H

671384

30. 01 30 2024 3 00 AM Complaint (Out of Custody)
 31. 03 14 2023 3 00 AM Complaint Case Initiation Face Sheet
 32. 03 14 2023 3 00 AM Compliance Status Did Not Report to Jail
 33. 03 14 2023 3 00 AM Complaint (Out of Custody)

See attached EXHIBIT I

656748

34. 11 13 2020 3 00 AM Declaration Police Report

35. 11 13 2020 3 00 AM Complaint Out of Custody

See attached EXHIBIT J

669329

36. 11 08 2022 3 00 AM Complaint (Out of Custody)

37. 11 08 2022 3 00 AM Complaint Case Initiation Face Sheet

38. 11 08 2022 3 00 AM Declaration Police Report

39.

See attached EXHIBIT K

Respectfully Submitted by:



Kurt Benshoof, Plaintiff *pro se*
1716 N 128th Street
Seattle, WA 98133
King County Correctional Facility – Seattle
B/A 2024-008067, UCN# 10518097
500 Fifth Ave., Seattle, WA 98104
South Eight, Lover Bravo
Email: kurtbenshoof@gmail.com

The foregoing statements of fact were typed up by the undersigned, upon Mr. Benshoof's request and to the best of the undersigned's understanding.²

Signature: _____

/URVE MAGGITI /

Date: _____

October 1, 2024

² See *Faretta v. California* and Section 35 of the Judiciary Act of 1789, 1 Stat. 73, 92

AFFIDAVIT

The foregoing were typed up by the undersigned, upon Mr. Benshoof's request and to the best of the undersigned's understanding.³

Federal and State Constitutions require that criminal prosecutions conform to prevailing notions of fundamental fairness and that criminal defendants be given a meaningful opportunity to present a complete defense. *State v. Wittenbarger*, 124 Wn.2d 467, 474–75, 880 P.2d 517 (1994).

Mr. Benshoof has been denied not only *meaningful opportunity* to present a *complete defense* in the malicious criminal prosecution and persecution brought against Mr. Benshoof, it is a FACT that Mr. Benshoof has been denied the most essential, elemental and basic resources to even attempt to present defense: access to pen, paper, computer, internet, email, and majority of the discovery.⁴

In 1975 in *Faretta v. California*, United States Supreme Court acknowledges an established historical fact: "Section 35 of the Judiciary Act of 1789, 1 Stat. 73, 92, enacted by the First Congress and signed by President Washington one day before the Sixth Amendment *813 was proposed, provided that 'in all the courts of the United States, the parties may plead and manage their own causes personally or by the assistance of such counsel . . . ' The right is currently codified in 28 U.S.C. s 1654."⁵

The Court quoted from Section 35 of the **Judiciary Act of 1789, 1 Stat. 73, 92** which states as follows:

"SEC. 35. And be it further enacted, **That in all courts** of the United States, the **parties may plead and manage their own causes personally or by assistance of such counsel or attorneys at law**"⁶

Judiciary Act of 1789 was passed before ratification of the Sixth Amendment in the Bill of Rights in 1791. The drafters of the Sixth Amendment had deliberately removed the word **attorneys at law** from the Sixth Amendment, and substantially amended the language to read: "**right to have the Assistance of Counsel.**"

Signature: _____

/URVE MAGGITI / urve.maggitti@gmail

Date: _____

October 1, 2024

³ See *Faretta v. California* and Section 35 of the **Judiciary Act of 1789, 1 Stat. 73, 92**

⁴ Mr. Benshoof was provided few photocopies of the incident reports, from the Seattle Police Department which responded to Jessica Owen's and Magalie Lerman's calls, and police reports of three visits to Mr. Benshoof's home.

⁵ *Faretta v. California*, 422 U.S. 806, 812–13, 95 S. Ct. 2525, 2530, 45 L. Ed. 2d 562 (1975)

⁶ "The Judiciary Act; September 24, 1789, 1 Stat. 73. An Act to Establish the Judicial Courts of the United States." "APPROVED , September 24, 1789." https://avalon.law.yale.edu/18th_century/judiciary_act.asp

CERTIFICATE OF SERVICE

1. **Ann Davison**, Seattle City Attorney
701 5th Ave., Suite 2050, Seattle, WA 98104-7097
Phone (206) 684-7757 Fax: (206) 684-4648
Ann.Davison@seattle.gov
SeattleCityAttorney@seattle.gov
Law_CityAttorney_Crim_NOA@seattle.gov

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(Res. 25628, 1977; In 1946 Charter.)

2. **Dan Shilling**, Seattle City Attorney
701 5th Ave., Suite 2050, Seattle, WA 98104-7097
Phone: : 206-684-8406,
Dan.shilling@seattle.gov
3. **Katrina Outland**, Assistant City Attorney, WSBA #54342
City of Seattle Attorney's Office
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Regional Domestic Violence
Firearms Enforcement Unit
Assistant City Prosecutor
Cell: 206-472-3696
Voicemail: 206-684-7756
Katrina.Outland@seattle.gov
n-koutland@kingcounty.gov
SMC_1003@seattle.gov
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FAX:206-684-4648
daniel.o'brien@seattle.gov
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Seattle Justice Center, 600 5th Ave, Seattle, WA 98104-1900

Bailiff: Nina Cohen - (206) 733-9339 Phone: (206) 684-8709
FAX: (206) 615-0766 FAX: (206) 615-0443 alt. Fax: 206-615-0446
GROUP email: SMC_CTR_1003@seattle.gov
Group Email: smc.publicsvcs@seattle.gov
Email: andrea.chinsmc@seattle.gov

6. Judge Faye R. Chess, Presiding Judge King County Seattle Municipal Court

600 Fifth Avenue, Seattle, WA 98124-1900
Phone: main: (206) 684-5600 - (206) 684-5610
Fax: 206-615-0446 (Courtroom 1103 fax #)
Group Email: smc_publicsvcs@seattle.gov
Email: faye.chesssmc@seattle.gov
Bailiff: Lynn Milloy - (206) 615-0473

7. Leesa Manion, Prosecuting Attorney

CRIMINAL DIVISION W554, King County Courthouse, 516 Third Avenue Seattle, Washington
98104-2385
PHONE: (206) 477-3742, FAX (206) 205-6104, Leesa.Manion@kingcounty.gov

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PHONE: (206) 296-9000, stephanie.brennan@kingcounty.gov

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Bailiff: Jennifer McBeth (206) 477-1361

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c/o King County Superior Court, 16 Third Ave, C-203, Seattle, WA 98104
Phone: 206-477-1579
Email parisien.court@kingcounty.gov, suzanne.parisien@kingcounty.gov
Bailiff: Julie Salle Courtroom Number: W-355, Department: 42, Assignment: Criminal

12. County Clerk

516 3rd Ave, Rm E609, Seattle, WA 98104-2363
Phone: 206-296-9300, clerksofficecustomerservice@kingcounty.gov

13. Mr clerksofficecustomerservice@kingcounty.gov Home Address: 1716 N 128th Street,
Seattle, Washington 98133,

Phone: (206) 460-4202, kurtbenshoof@gmail.com

~~CURRENTLY HELD AT: Maleng Regional Justice Center – Kent, Phone: 206-296-1234,
Address: 620 W. James St., Kent, WA 98032, Mr. Kurt Benshoof, UPN# 10518097~~

Mr. Kurt Benshoof at around 10:00 on Friday September 6, 2024, am inexplicable moved to:

King County Correctional Facility – Seattle

Mr. Kurt Alden Benshoof

B/A 2024-008067, UCN# 10518097

500 Fifth Ave., Seattle, WA 98104

South Eight, Lover Bravo

17. **Urve Maggitti**, “next friend” and “assistance of counsel” ⁷ to Mr. Kurt Benshoof under as per Judiciary Act of 1789, 1 Stat. 73, 92. urve.maggitti@gmail.com

⁷ Faretta v. California, 422 U.S. 806, 812–13, 95 S. Ct. 2525, 2530, 45 L. Ed. 2d 562 (1975)

JS 44 (Rev. 03/24)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

1) City of Seattle v. Kurt Benshoof Nos. 676492, 676463, 676216, 676207, 676175, 675405, 671384.

(b) County of Residence of First Listed Plaintiff Seattle WA
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

2) State of Washington v. Kurt Benshoof
24-1-02680-7 SEA, see attached word doc

DEFENDANTS

KURT BENSHOOF Case No: 2:24mc00060JNW.

County of Residence of First Listed Defendant Seattle WA
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

pro se alleged "defendnat"

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
- ☒ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
to 28 U.S.C. § 1443, 28 U.S.C. § 1455, 28 U.S.C. § 1446, 28 U.S.C. § 1447, 28 U.S.C. § 1331

Brief description of cause:
Civil Rights, Federal Question

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

10/01/2024

KURT BENSHOOF

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) **Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
 - (b) **County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
 - (c) **Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. **Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
- United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. **Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. **Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. **Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
- PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. **Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. **Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. **Related Cases.** This section of the JS 44 is used to reference related cases, if any. If there are related cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

EXHIBIT A

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
OFFICE OF THE CLERK

RAVI SUBRAMANIAN
CLERK OF COURT
700 STEWART ST
SUITE 2310
SEATTLE, WA 98101

September 30, 2024

State of Washington

Your civil action, *State of Washington v. Benshoof*, was filed in the United States District Court – Western District of Washington on September 24, 2024.

The case has been assigned to District Court Judge Jamal N Whitehead, case number **2:24-mc-00060-JNW**. All documents filed with the Court must include the entire case number in order to be properly posted on the docket.

The following deficiencies have been noted:

Document Incomplete

The NOTICE OF REMOVAL was/were filed with OPERATIVE STATE COURT COMPLAINT missing. Please return a complete copy to the Clerk's Office as soon as possible.

Civil Cover Sheet Omitted

As required by Local Civil Rule 3(a), a Civil Cover Sheet is required at the time of filing. Please fill out the enclosed form and return it to the Clerk's Office as soon as possible.

The deficiencies must be corrected and filed with the Court as soon as possible. Please return the requested documents to the address listed above. Failure to do so may affect the status of your case, including dismissal of the action by the Court.

cc: file